

May 8, 2015

By E-mail

Hon. Richard J. Sullivan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 615
New York, NY 10007-1312

MEMO ENDORSED

Re: *Roche Diagnostics GmbH et al. v. Enzo Biochem, Inc. et al* No. 04 CV 4046 (RJS)
(S.D.N.Y.)

Dear Judge Sullivan:

This letter is submitted jointly on behalf of all parties in the above referenced matter—Roche Diagnostics GmbH, Roche Molecular Systems, Inc., Enzo Biochem, Inc., and Enzo Life Sciences, Inc.—to respectfully request a brief extension of the fact discovery deadline for the limited purpose of completing depositions related to the currently scheduled damages discovery.

Under the Court's April 3, 2015 Order, the parties are required to complete all damages fact discovery, including depositions, by May 8, 2015. (Dkt. No. 253). This brief extension is requested because the parties are required to reschedule depositions in response to the change of date for the *Markman* hearing on April 28, 2015 (Dkt. No. 254). Therefore, the parties jointly request a three week extension of the deadline to complete damages related fact depositions, and permit the parties an opportunity for limited follow-up discovery, such as the opportunity to supplement interrogatory responses or request documents based on information learned at deposition. This is the parties' second request for an extension in connection with the April 13, 2015 fact discovery deadline for damages discovery.

The proposed extension will not have any impact on other scheduled dates. Accordingly, the parties jointly request that the Court grant their application for an extension of the fact discovery deadline to May 29, 2015.

Respectfully submitted,


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By: /s/ Robert J. Gunther
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Attorney for the Roche parties

SO ORDERED
Dated:


RICHARD J. SULLIVAN
U.S.D.J.
5/11/15